

State Strategies for Policies and Spending

Final Draft

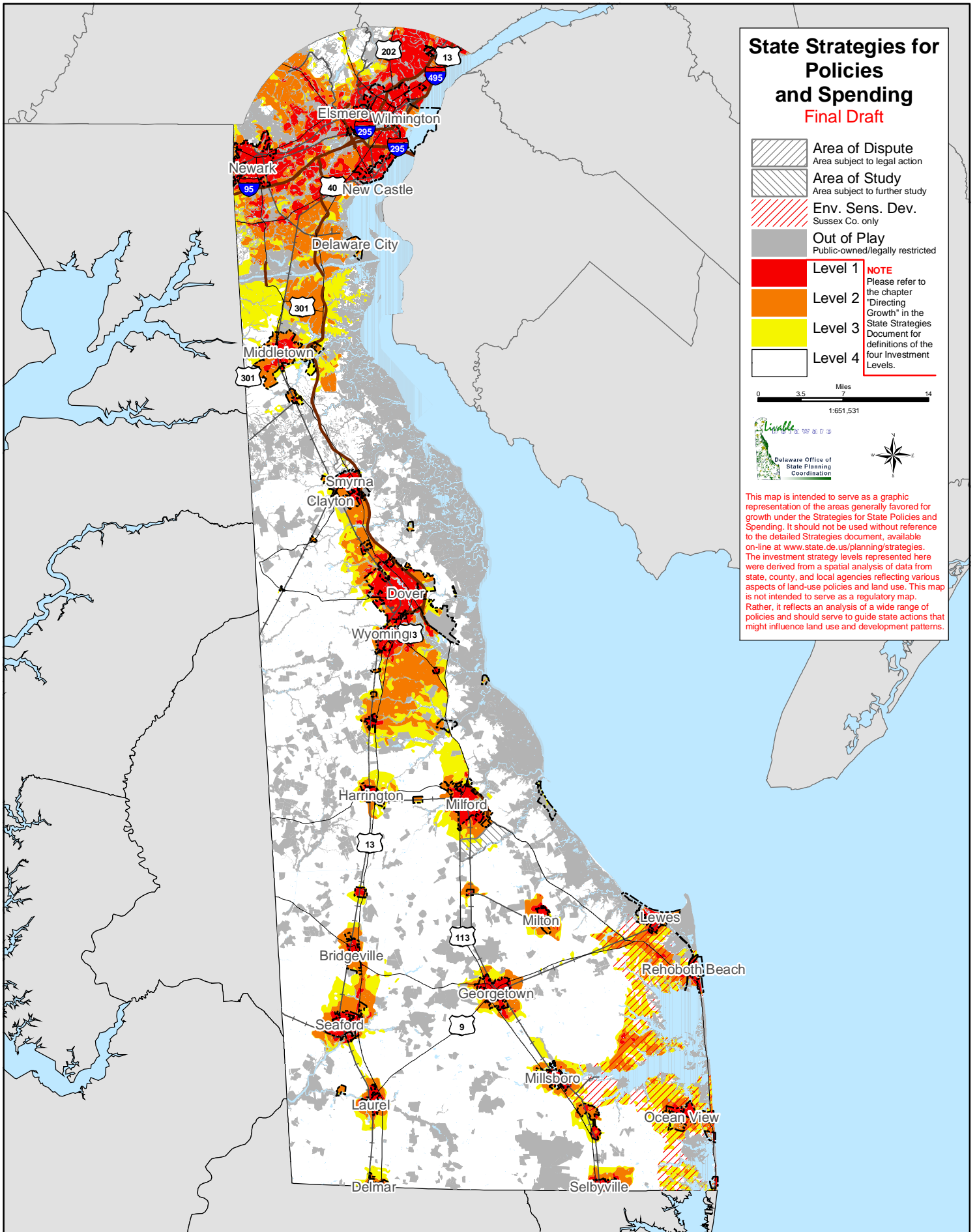
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Area subject to legal action
-  Area of Study
Area subject to further study
-  Env. Sens. Dev.
Sussex Co. only
-  Out of Play
Public-owned/legally restricted
-  Level 1
-  Level 2
-  Level 3
-  Level 4

NOTE
Please refer to the chapter "Directing Growth" in the State Strategies Document for definitions of the four Investment Levels.

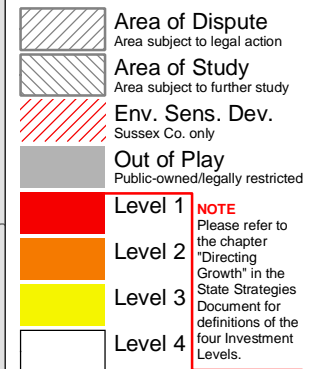
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This map is intended to serve as a graphic representation of the areas generally favored for growth under the Strategies for State Policies and Spending. It should not be used without reference to the detailed Strategies document, available on-line at www.state.de.us/planning/strategies. The investment strategy levels represented here were derived from a spatial analysis of data from state, county, and local agencies reflecting various aspects of land-use policies and land use. This map is not intended to serve as a regulatory map. Rather, it reflects an analysis of a wide range of policies and should serve to guide state actions that might influence land use and development patterns.



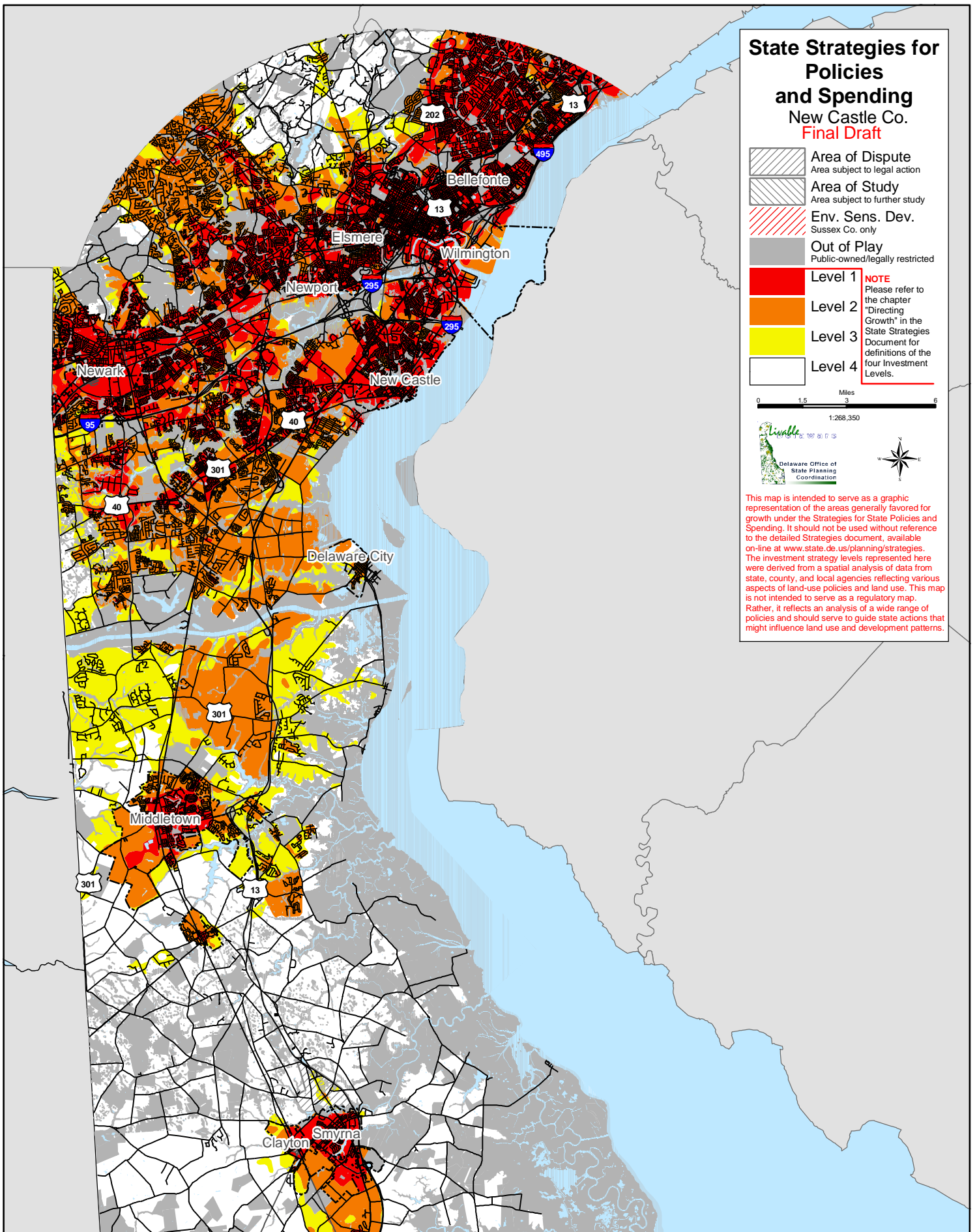
State Strategies for Policies and Spending New Castle Co. Final Draft











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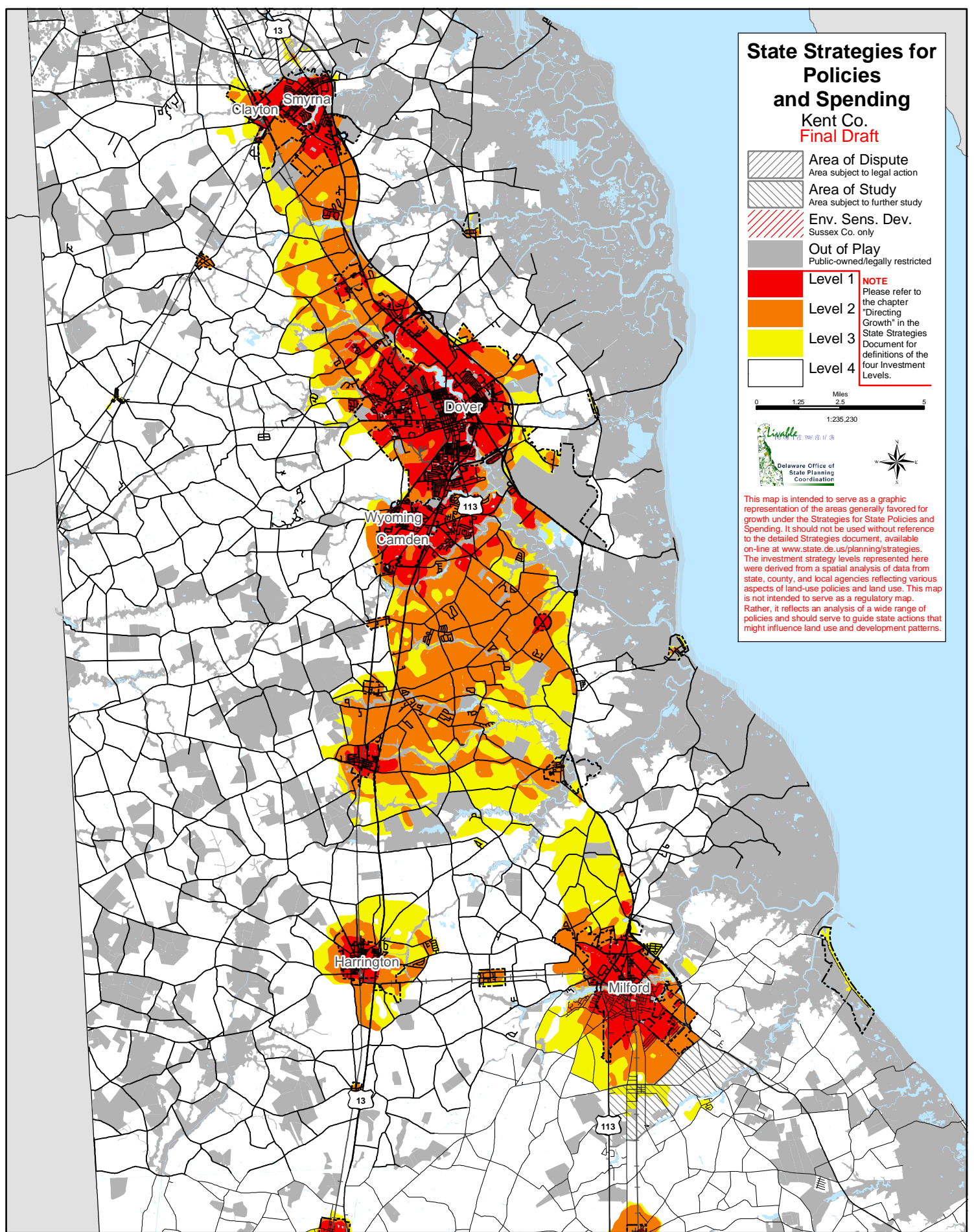
State Strategies for Policies and Spending Kent Co. Final Draft

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State Strategies for Policies and Spending

Sussex Co.

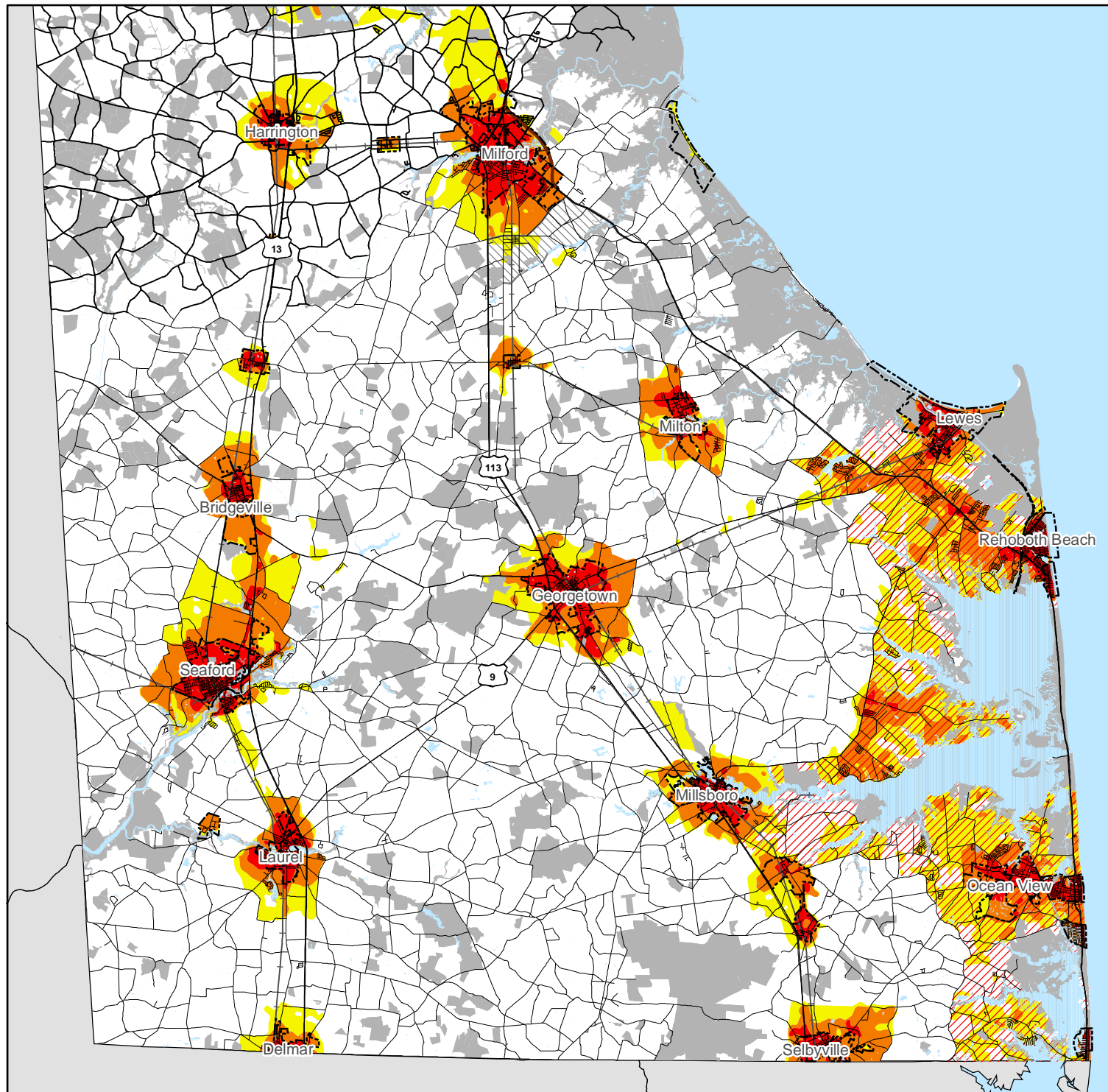
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Directing Growth

Spatial Data Analysis Approach to Update the *Strategies for State Policies and Spending Map*

Strategy Maps

The update of the *Strategies for State Policies and Spending* map was created using a spatial data analysis that balances state, county and local policies that favor growth for different areas of the state with policies that argue against growth. The analysis creates a statewide spatial data set that reflects the combined policies of all levels of government to highlight which areas are most appropriate for growth.

Process

The Office of State Planning Coordination (State Planning Office) teamed with the University of Delaware's Institute for Public Administration (IPA) to analyze spatial data from state, county and local agencies to create maps for the *Strategies* update. This analysis combines data sets that depict lands in three main categories:

- Lands that are out of play; that is, not available for development or redevelopment,
- Lands for which state and local policies do not favor growth, and

- Lands for which state and local policies do favor growth.

Using Spatial Analyst software from ESRI⁸, the team created a state-wide data set consisting of a grid in which each grid cell has one of a range of values reflecting the combination of these three categories of data. The higher scores in the positive range reflect a stronger preference for development. The lower scores in the negative range reflect a stronger preference for open space preservation and management for natural resources and habitat preservation. Lands that are not available for any development or redevelopment were taken out of play. These scores were used to create a draft *Strategies for State Policies and Spending* map depicting the varying levels of growth preference.

(Please see the appendix for the complete explanation of the spatial data analysis.)

⁸ ESRI refers to the Environmental Systems Research Institute, Inc. which specializes in geographic information systems (GIS), <http://www.esri.com>.

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Introduction to the Investment Levels:

In this Strategy update, the map area designations have been simplified from specific names (e.g., Community) to **Investment Level's 1, 2, 3 and 4** to avoid any misinterpretation of what a “name” might mean. Furthermore, the Levels are not meant as ascending levels of importance, but rather as a way to distinguish the different types of funding priorities within each area.

Investment Level 1:

Description:

- Investment Level 1 Areas are often municipalities, census designated places, or urban/urbanizing places in counties.
- Density is generally higher than in the surrounding areas.
- There are a variety of transportation opportunities available. Typical transportation

projects include new or expanded facilities and services for all modes of transportation. These modes include public transportation facilities and services. The modes also include bicycle and pedestrian facilities when favorable development patterns and densities exist.

- Buildings may have mixed uses, (for example a business on the first floor and apartments above).
- There is a sense of place and a character to the surroundings.
- The area shares a common identity.
- May be considered as Transfer of Development Rights (TDR) receiving areas.



Strategy:

In areas where population is concentrated, commerce is bustling, and a wide range of housing types

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Investment Level 1:

already exist; state policies will encourage redevelopment and reinvestment.

What is an Investment Level 1 Area?

People have historically congregated for access to convenient housing, commerce and social interaction. Whether we call them villages, towns or cities, these areas are characterized by a lively pace, a core commercial area, several modes of transportation and a variety of housing options, often ranging from detached single-family homes to multifamily apartments.

Brownfields can be redeveloped in urban areas where a century of investment in infrastructure exists.

These population centers are often built around a traditional central business district or “downtown,” which offers a wide range of opportunities for employment, shopping and recreation. They usually have a concentration of cultural and entertainment

facilities, and a wide array of public institutions, services and amenities (such as post offices, police and fire stations, libraries, hospitals and other health care). Although the scale of these population centers varies throughout the state, from cities such as Wilmington to smaller towns such as Milton, this document will call them all by one name: Investment Level 1 Areas.

These relatively compact patterns of development tend to have a human scale and are notably walkable. Investment Level 1 Areas provide a range of transportation choices, making it possible to pursue daily requirements by foot, bike, bus or private vehicle depending on needs and circumstances.

Investment Level 1 Areas may also have overlooked opportunities in the form of underused or previously used sites (some of which are called “brownfields”), as well as a century or more of public and private investment in services, facilities and buildings. These are places where significant investment already exist in roads, bridges and airports, water and sewer systems, schools, commercial and industrial buildings, and houses.

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Investment Level 1:

Investment Level 1 Areas provide regional and local identity and a sense of place for personal and business activities. Delaware is a collection of 57 incorporated communities, from its largest cities – Wilmington, Newark and Dover – to smaller cities such as Milford, Georgetown, Seaford, Middletown and even to numerous smaller communities throughout the state. There are also many intensely developed areas throughout the state that function in a similar manner. These Investment Level 1 Areas drive Delaware's economic engine.



The state's goals clearly recognize the value of these Investment Level 1 Areas and provide for their continued health and vitality through reinvestment and redevelopment, and through the efficient use and maintenance of existing public and private investments.

Investment Level 1 Strategies:

In Investment Level 1 Areas, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity. Decisions about investments and policies should be based on these principles:

Transportation –

- Provide the greatest number of transportation options, emphasizing public transportation, walking, and bicycling.
- Make existing infrastructure and planned improvements as safe and efficient as possible.
- Typical transportation projects include new or expanded facilities and services for all modes of transportation, including public transportation facilities and services when favorable development patterns and densities exist.
- Projects will also include those that manage traffic flow and congestion, support economic development and redevelopment efforts, and

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Investment Level 1:

encourage connections between communities and the use of local streets for local trips.

Water and wastewater –

- Direct maximum assistance to upgrades, reconstruction, treatment improvements, and system expansions within Investment Level 1 Areas.
- Place priority on existing systems for improved efficiency, enhanced water quality management, and additional capacity for redevelopment, infill, and for new community development that supports efficient and orderly land use patterns.



State facilities and investments –

- Investment Level 1 Areas are priority locations for new public uses and expanded existing uses.
- The state should promote locations for schools and other facilities that would enhance community integrity and encourage the use of more than one transportation option.

- State investments in public facilities, such as schools, libraries, courts and health-care and public safety buildings, should be strategically located to foster community identity and vitality, and complements the historic character.
- In Investment Level 1 Areas, the state will renovate, reconstruct or replace existing educational facilities that have community support and fit into sensible development patterns and densities. The state will use existing school sites wherever possible within or contiguous to existing towns, if those sites are adequately served by public water and sewer, and do not place additional strain on land use or transportation.

Open space, parks and other resources –

- Support development and maintenance of recreational and open space facilities to serve Investment Level 1 area needs, including urban parks and recreational areas, waterfronts, and links between uses and throughways (greenways, bikeways, and so forth).

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Investment Level 1:

- State funds would be used to protect a specific critical resource and also for greenways and other green areas that provide clear visual boundaries.
- Promote the wise use of Investment Level 1 Areas' land and water resources, and the protection of habitat for species that are compatible with developed areas.
- Invest in forestry studies, planting new trees, maintaining existing forested areas, and street trees. Mature urban forested resources help cool a city by 6 to 8 degrees a day, reducing energy costs.

Housing –

- Promote a mixture of housing types and prices; protect and enhance existing housing choices.
- Restore and improve existing neighborhoods, promote viable downtowns and reuse of older residential, industrial and commercial zones, and improve access to health, safety, education and other services.
- Investment Level 1 Areas are excellent locations for compact development. This style of development – which can include

what is called “new urbanism” or “neotraditional design” – should include a mixture of uses, a range of residential unit types, and allow for higher overall densities than typical suburban development styles. Because this design style draws its inspiration from traditional town development patterns, compact development is usually an excellent choice for redevelopment and infill projects.

Economic Development –

- Work with Investment Level 1 Areas to identify and aggressively market underused, abandoned, or “brownfield” sites, in a manner consistent with the Investment Level 1 Areas' character and needs.
- Programs should promote creation of jobs near residential areas, focusing on jobs for the underemployed, and should include state assistance for community-based redevelopment and revitalization efforts.
- Leadership should be local, but the state may provide technical expertise and regional coordination.

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Investment Level 1:

Other public services –

- Focus health and social services on under-served and disadvantaged populations.
- Support community-based programs for revitalization.
- Public safety objectives include providing adequate law enforcement services and safety, effective emergency services, and reduced vulnerability to natural and man-made hazards.
- Use incentives to promote revitalization, historic preservation, reinvestment, viability, and enhancement of community character.
- Investment Level 1 would most appropriately be designated as receiving zones under Transfer of Development Rights programs (TDR), providing for a greater range of densities, housing and development options for future growth. (Such programs allow the sale of development rights from areas where development is discouraged to areas where it is encouraged, such as Investment Level 1 Areas.) County or local governments that adopt these programs will define the parameters and regulations that will guide the programs in a manner which is best suited to the conditions in the local jurisdiction.

the Strategies maps may be one tool to guide the development of County or local TDR programs.

Overall, it is the state's intent to use its spending and management tools to maintain and enhance community character, to promote well-designed and efficient new growth, and to facilitate redevelopment in Investment Level 1 Areas.

Employment Strategies for Level 1 Investment Areas:

- Aggressively market through the state's economic development efforts, and through cooperative ventures with county and local entities.
- Promote a balance between places of work and residence, provide several transportation options and seek reductions in peak-hour traffic congestion.
- Improve compatibility of adjacent uses, minimize impacts on natural resources through good design and development practices, support agribusiness, and achieve agricultural and forestry program objectives.
- Support more efficient land use patterns, protect farmlands and natural areas, and enhance the vitality of existing communities.

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Investment Level 2:

Description:

This investment level has many diverse characteristics. These areas can be composed of:

- Less developed areas within municipalities.
- Rapidly growing areas in the counties that do, or will have public water and wastewater services and utilities.
- May be considered as Transfer of Development Rights (TDR) receiving areas.
- Areas which are generally adjacent or near Investment Level 1 Areas.
- Smaller towns and rural villages; which should grow consistently with their historic character.
- Suburban areas with public water, wastewater, and utility services.



What are Investment Level 2 areas?

These diverse areas surround many municipalities and also seem to be the most

popular portion of Delaware's developed landscape. They serve as transition areas between the Investment Level 1 Areas and the state's more open, less populated areas.

These areas are often characterized by a limited variety of housing types (predominantly detached single-family dwellings), commercial and office uses serving primarily local residents (examples: food, drugs, video rental, and so forth), and a limited range of entertainment, parks and recreation, cultural and institutional facilities.

Innovative developers, architects and land use experts recognize that the historic design of suburban developments could be improved by incorporating a mix of housing types and limited commercial uses as well as interconnecting roads and bikeways between developments. They also recognize that compact development strategies may fit within areas adjacent to existing towns and population centers. These elements, designed with a greater concern for aesthetics and the environment, would revive the feel of the traditional "village," providing a stronger sense of community. Pike

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Investment Level 2:

Creek in New Castle County is an example of this kind of innovative development.

Investment Level 2 Strategies:

- Base investments on available infrastructure to accommodate orderly growth.
- Encourage departure from the typical single-family-dwelling developments, and promote a broader mix of housing types and commercial sites.
- Encourage development that is consistent with the character of the area, higher densities, and use the existing streets and utilities.
- Encourage compact, mixed use development where applicable.
- Investment Level 2 would most likely be appropriate to designate as receiving zones under Transfer of Development Rights programs (TDR), providing for a greater range of densities, housing and development options for future growth. (Such programs allow the sale of development rights from areas where development is discouraged to areas where it is encouraged, such as Investment Level 2 areas.) County or local

governments that adopt these programs will define the parameters and regulations that will guide the programs in a manner which is best suited to the conditions in the local jurisdiction. The Strategies maps may be one tool to guide the development of County or local TDR programs.

Transportation –

- Encourage sensible development through a planned set of phased transportation investments, land use coordination, and policy actions consistent with zoning densities and designations.
- Transportation projects should expand or provide roadways, public transportation, pedestrian walkways, bicycle paths, and other transportation modes.
- Manage traffic flow, support economic development efforts, and encourage connections between communities and the use of local streets for local trips.

Water and wastewater –

- Extend existing or create new systems where logical, or where they would prevent future environmental or health risks.

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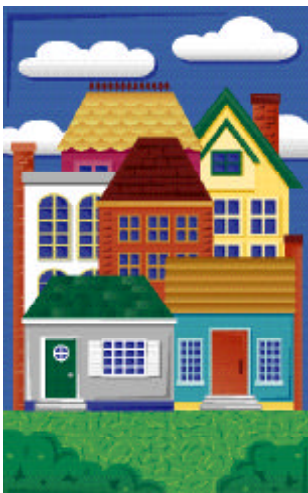
Investment Level 2:

Open space, agriculture and forestry –

- Protect critical waterways, promote establishment of greenways, and maintain “green” separators between more intensely developed areas.
- Provide transition zones between Investment Level 2 and Investment Level 4 areas.
- Invest funds to reestablish forests within community open space, plant new trees, control invasive species, maintain existing resources, and promote connectivity of open areas. Forested areas can help communities save on high grass mowing costs.

Housing and community facilities –

- Support residential growth supplemented with essential neighborhood services, such as churches, convenience stores, day-care centers, branch libraries, health clinics, dentists, hairdressers, and so forth.
- Encourage a broader mix of housing types and rehabilitation efforts to ensure safe and habitable housing.



- Investment Level 2 Areas may be appropriate locations for compact development. This style of development (often called “new urbanism” or “neotraditional design”) tends to include a mixture of uses, a range of residential unit types and allows for higher overall densities than typical suburban development styles. Because this design style draws its inspiration from traditional town development patterns, compact development may be an excellent choice for areas where new development is adjacent to or integrated into an existing community. This style of development may also be appropriate in newly developing areas to create a more human scale activity center with a sense of place.

Economic development –

- Focus on locating large, high-quality employers in Investment Level 2 Areas where the availability of sites close to infrastructure, services, and existing residences makes such locations viable.
- There may be many opportunities for small to medium sized businesses in Investment Level 2

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Investment Level 2:

Areas, especially in mixed use, compact development areas.

- Minimize impacts on transportation facilities and air quality (e.g. by locating employers in the designated Investment Level 1 Areas, or in appropriate locations in Investment Level 2).
- Focus on the mixing and linking of commercial and retail uses.

Educational facilities –

- Plan and construct new school facilities that fit into sensible development patterns.
- Locate school facilities on property owned by school districts, contiguous to existing towns or where access to public water and sewer services. Focus on supporting development goals, controlling undue expansion of current school transportation routes, and fostering community support of local educational facilities.

Other public services –

- Focus on providing adequate law enforcement, traffic and vehicle safety, reduction of hazard vulnerability, and needed emergency services.

Overall, the state's intent is to use its spending and management tools to promote well-designed development in these areas. Such development provides for a variety of housing types, user-friendly transportation systems, and provides essential open spaces and recreational facilities, other public facilities, and services to promote a sense of community.



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Investment Level 3:

Description

During the mapping process for this update of the State Strategies, some areas received a relatively low “pro growth” score. While the data analyzed indicated that there were still many factors that would support growth in the area, there may have been other factors which argued for land preservation, for longer term phased development, or both. We have called these areas “Investment Level 3.”

Investment Level 3 Areas generally fall into two categories. The first category is lands which are in the long term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during this five year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate among the three growth oriented investment levels in the near term future.

The second category includes lands which are adjacent to or intermingled with fast growing areas within counties or municipalities which are otherwise categorized as Investment Levels 1

or 2. These lands are most often impacted by environmentally sensitive features, agricultural preservation issues, or other infrastructure issues. In these instances, development and growth may be appropriate in the near term future, but the resources on the site and in the surrounding area should be carefully considered and accommodated by State Agencies and local governments with land use authority.

Investment Level 3 is further characterized by:

- Areas with leap frog development which is not contiguous with existing infrastructure.
- High priority agricultural lands directly adjacent to natural areas.
- Environmentally sensitive areas adjacent to areas which have some pro-development qualities.
- Areas that are experiencing some development pressure.
- Areas with existing but disconnected development.
- Areas planned for growth in the long term, but not in the short term. Development of these areas within the next five years may not

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Investment Level 3:

represent proper and efficient phasing of development.

- May be considered as Transfer of Development Rights (TDR) sending or receiving areas, depending on local conditions and locally developed TDR programs or ordinances.

What are Investment Level 3 areas?

Investment Level 3 areas are portions of county designated growth zones, development districts, or long term annexation areas in municipal comprehensive plans that aren't in the Investment Level 1 or 2 designation in the state's Strategy Map. In New Castle County these areas generally reflect phases 2 and 3 of the county's adopted waste water facility plan. In Kent County they mostly include areas outside Investment Level 1 or 2 Areas but within the county-designated "Growth (Overlay) Zone." This zone is determined by measuring a two-mile radius from existing wastewater system pumping stations. Also in Sussex County, environmentally sensitive areas not served by water or sewer infrastructure are most likely included in Investment Level 3. There are also areas designated as

Investment Level 3 in counties and municipalities where there are environmentally sensitive features, agricultural preservation issues, or other infrastructure issues which should be considered by State Agencies and local governments when considering spending decisions and/or development proposals.

Although these areas may be primarily used for agriculture today, they are experiencing development pressure, and may not remain predominately rural in the long term.

Investment Level 3 Strategies:

Due to the limits of finite financial resources, state infrastructure spending on "hard" or "grey" infrastructure such as roads, sewer, water, and public facilities will generally be directed to Investment Level 1 and 2 areas during this planning period. The State will consider investing in these types of infrastructure in Investment Level 3 Areas once the Investment Level 1 and 2 areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area.

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Investment Level 3:



Many of the Investment Level 3 areas designated by the counties include significant areas of important farmland and natural resources. Level 3 also includes portions of roadways designated for corridor capacity protection. For these broadly defined areas to be considered for development and to be properly served with state and county-provided infrastructure in the future, several issues should be addressed. These include the character, pattern,

spatial separation and timing of growth; federally mandated air and water quality goals and objectives; and the phasing of future sewer services.

This planning must consider the likely absorption rates for land, the expected requirements for various land uses, the expected growth in population, the value of underlying land and water resources, and the magnitude of public expenditures for infrastructure and services required as such land comes into development.

All three counties plan to provide central wastewater facilities and services to service future growth and to prevent future pollution problems. The state's interest is to cooperatively plan for and provide state infrastructure and services so that they are consistent with the phased extension or construction of wastewater systems, in order to achieve a compact, efficient growth pattern.

The development of these areas should reflect an orderly, phased and guided policy of infrastructure investment agreed to by both the local and state government. This will ensure that future development is timely, at densities and patterns which promote efficiency and protect critical resources, adequately examines natural resource and agricultural lands preservation objectives, can be adequately served with necessary public services (safety, health care, emergency response, libraries, and so forth) and is consistent with comprehensive plans and policies as these are revised over time.

Agricultural preservation actions are appropriate to define the borders between Investment Level 3 areas

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Investment Level 3:

and Investment Level 4 areas, and for protection of farmlands of high value and of sufficient scale to ensure continued agricultural viability, or which are an expansion of an existing preservation district. All such lands within a designated Investment Level 3 Area must be approved by the county planning body, the county-appointed agricultural lands preservation advisory board, and the Delaware Agricultural Lands Preservation Foundation.

Investment Level 3 Strategies:

- Adequately address, through land use controls and infrastructure timing, the character, pattern, spatial separation and timing of growth, as well as the phasing of future sewer services as part of the required review and revision of the county comprehensive plans.
- Incorporate incentives, zoning classifications and land development standards to ensure protection of important natural resources, archeological or historic sites, and open spaces.
- Incorporate innovative subdivision design that includes greater attention to the environment, aesthetics and interconnections with nearby subdivisions.
- Further the protection of important agricultural lands through Purchase of Development Rights programs, zoning, or other methods, where appropriate.
- Provide mechanisms for establishing phasing timetables and procedures, and processes for consideration and analysis of new land use, population or other data; and for addressing unexpected major development proposals.
- Recognize that state infrastructure investments may be appropriate where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare.
- Provide for a continuing reassessment of the extent of the Investment Level 3 areas, the magnitude of development activity, the expected population and employment growth, the desires of landowners and residents in the areas, and the fiscal limitations of state, county and local governments to support additional growth and infrastructure investment.

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Investment Level 3:

- Investment Level 3 would most likely be appropriate to designate as receiving zones under Transfer of Development Rights programs (TDR) if they are designated as growth areas in local or county plans, and the timing and phasing of infrastructure is addressed. TDR programs can provide for a greater range of densities, housing and development options for future growth. (Such programs allow the sale of development rights from areas where development is discouraged to areas where it is encouraged, such as Investment Level 3 areas.) In some cases it may also be appropriate to designate these areas as sending zones for TDR programs, depending on local conditions and program goals. County or local governments that adopt these programs will define the parameters and regulations that will guide the programs in a manner which is best suited to the conditions in the local jurisdiction. The Strategies maps may be one tool to guide the development of county or local TDR programs.

Transportation –

- Continue to invest in the regional roadway network, and in maintenance of the existing roadway system in Investment

Level 3. Investments in roadway safety will also be made.

- Continue to protect the capacity of major transportation corridors such as Routes 1, 113, and 13 through the Corridor Capacity Preservation Program.
- Roadway improvements that are necessary to support new development activities will not be encouraged in Investment Level 3 Areas during this planning period. The State's finite resources for roadway capacity improvements will be prioritized in Investment Level 1 and 2 areas before being allocated to Investment Level 3.

Water and wastewater –

- The timing and provision of sewer systems must be coordinated with other infrastructure concerns, resource protection issues, and the expected pace and pattern of growth.
- State financial assistance to local government's water and wastewater facilities will be prioritized in Investment Level 1 and 2 areas before being considered in Investment Level 3. Investments needed to correct public health and existing environmental problems will be

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Investment Level 3:



considered on a case-by-case basis.

Open space, agriculture and forestry –

- Protect critical waterways, promote establishment of greenways, and maintain “green” separators between more intensely developed areas.
- Provide transition zones between Investment Level 3 and Investment Level 4 areas.
- Agricultural preservation activities and agribusiness may be appropriate on a limited basis where such actions help to define the boundaries of Investment Level 3 Areas.
- An expansion of forest protection and urban forestry programs within Investment Level 3 Areas will provide recreational and environmental benefits. Funds should be allocated to forest stewardship programs (tree planting), purchase of development rights, wild fire suppression, removal of invasive species, and promoting the forestry products industry.

Housing and community facilities –

- Investment Level 3 Areas may be appropriate locations for “Conservation Design” as an alternative to typical suburban style residential subdivisions. Conservation Design involves the protection of large portions of existing open space and farmland on a site, while clustering development on a smaller portion of the parcel. This design style often employs non-structural stormwater management practices, and other environmentally friendly design innovations. Developments designed in this style can blend in with their rural settings, protect critical environmental resources on the site, and provide a high degree of value for homeowners who truly want to live in a rural setting.
- In most cases, compact development would only be appropriate in Investment Level 3 Areas when associated with Transfer of Development Rights (TDR) programs that preserve a corresponding amount of agricultural land or natural resources. County or local governments that adopt these programs will define the

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Investment Level 3:

parameters and regulations that will guide the programs in a manner which is best suited to the conditions in the local jurisdiction.

- The State will continue to invest in housing rehabilitation and other assistance to those in existing homes with low to moderate incomes regardless of which investment level the home is located in.

expected during this five year planning period.

- Because school construction can be a major influence on residential and other development in an area, any proposal to locate a school in an Investment Level 3 Area should be carefully evaluated to determine its impact on infrastructure phasing and land use patterns in the area.

Economic development –

- Agribusiness and forestry activities in these areas may be appropriate long-term uses that would provide employment opportunities, create identifiable edges for development, and provide recreational and environmental benefits.
- New, large scale employers will not be encouraged to locate in Investment Level 3 when there are suitable sites available in Investment Levels 1 and 2.

Other public services –

- Focus on providing adequate law enforcement, traffic and vehicle

Educational facilities –

- Schools will not be encouraged to locate in Investment Level 3 when there are suitable sites available in Investment Levels 1 and 2.
- The advanced acquisition of school sites in Investment Level 3 may be appropriate, especially if school construction is not



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Investment Level 3:

safety, reduction of hazard vulnerability, and needed emergency services.

Overall, the state's intent is to acknowledge that while development in Investment Level 3 Areas may be appropriate, there are significant considerations regarding the timing, phasing, site characteristics, or Agency programs that should be weighed when considering growth and development in these areas.

Some lands designated Investment Level 3 are longer term growth areas, and are not necessary to accommodate expected population, household, and employment growth in the next five years (or more). In these areas there are likely to be other competing priorities for State resources during this planning period. Other areas designated as Investment Level 3 represent lands in the midst of rapidly growing areas designated Investment Levels 1 or 2

that are somehow impacted by natural resource, agricultural preservation, or other infrastructure issues. Development of these areas in the near term future may be appropriate, as long as State Agencies and local governments with land use authority investigate and accommodate the relevant issues on the sites and in the surrounding areas.

Investments in "green" infrastructure such as agricultural preservation, natural resource protection, parks and open space may be appropriate in some areas defined as Investment Level 3. The State will continue to invest in maintaining the quality of existing infrastructure and regional facilities in these areas, while supporting county and municipal growth management efforts where possible in this Investment Level.

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Investment Level 4:

What are Investment Level 4 Areas?

Delaware's leading industry today is agriculture, as it was a century ago. The state's open spaces and rural vistas are critical components of the quality of life Delawareans enjoy, as are the small settlements and historic villages reflecting earlier times. Marshlands, wooded areas and a network of waterways support an abundance of wildlife, provide recreation and help define the Delaware scene. Delaware's Investment Level 4 areas are predominantly agricultural. These areas contain agribusiness activities, farm complexes and small settlements. They are typically found at historic crossroads or points of trade, often with rich cultural ties. (For example, such unincorporated areas as Clarksville in Sussex County, Star Hill in Kent County and Port Penn in New Castle County.)

Investment Level 4 areas also boast undeveloped natural areas, such as forestlands, and large recreational uses, such as state and county parks and fish and wildlife preserves. Sometimes, private recreational facilities, such as campgrounds or golf courses (often with associated

residential developments), are also situated in Investment Level 4 areas.

Some limited institutional uses may exist in such areas. Delaware's Investment Level 4 areas are also the location of scattered residential uses, featuring almost entirely single-family detached residential structures. These are homes for those who value the quiet and isolation provided by locations away from more developed settings, albeit with an almost total reliance on private vehicles for every transportation need.

Delaware's Investment Level 4 areas also include many unincorporated communities, typically with their own distinctive character and identity. These places reflect the rich rural heritage of the state.

Investment Level 4 areas depend on a transportation system of primarily secondary roads linked to roadways used as regional thoroughfares for commuting and trucking.

Strategies for Preserving Investment Level 4 Areas:

In Investment Level 4 areas, the state's investments and policies should retain the rural landscape and preserve open spaces and farmlands, and establish defined edges to more

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Investment Level 4:

concentrated development.

Decisions about investments and policies should rely on these principles:

- **Transportation** – In Investment Level 4 areas, the state will preserve existing transportation facilities and services, and manage the transportation system to support the preservation of the natural environment. Transportation projects will include only necessary drainage, maintenance, and safety improvements, and programs to manage regional highway facilities.
- **Water and wastewater** – Additional state investments in water and wastewater systems will be limited to existing or imminent

public health, safety or environmental risks only, with little provision for additional capacity to accommodate further development. The needs of isolated rural communities, particularly those identified as part of the Strong Communities initiative, will be addressed comprehensively. The intent of such consideration will be to provide critical health, safety, environmental, transportation, employment and housing services for these residents without creating new growth incentives. Investment Level 4 areas are appropriate locations for large spray irrigation wastewater treatment systems, particularly where they can achieve open space, forestry and agricultural objectives.

- **Development** – The state will manage its resources to limit continued development in Investment Level 4 areas, to enhance agriculture, agribusiness, and similar economic activities which are land or water dependent, to protect present and future water supplies, to preserve critical habitat to support a diversity of species, to preserve and enhance the housing stock, to maintain existing educational facilities and services where



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economically feasible, to maintain effective public safety and emergency services, and to maintain the functionality and efficiency of transportation and other infrastructure.

- **Open space and farmland** – Farmland preservation actions focus on preserving a critical mass of agricultural land to ensure the health of the agriculture industry. They will also be used to develop permanent green edges around development areas by targeting farmlands at risk of development, promoting agribusiness activities, and preserving historic farmsteads and archeological sites. Open space investments should emphasize the protection of critical natural habitat and wildlife, aquifer recharge, sustainable agriculture and forestry activities, and increased acquisition of state forest lands. Open space investments will also provide for recreational activities, while helping to define growth areas.
- **Conservation Design** - Local land use regulations typically allow residential land uses in agricultural zones. Although residential development is not desirable in Investment Level 4 areas, it may be inevitable in some instances. Conservation design

techniques should be used to ensure that the residential development is compatible with the rural character and natural resources present in the area. Conservation Design involves the protection of large portions of existing open space and farmland on a site, while clustering development on a smaller portion of the parcel. The overall density of the development proposal would not change. This design style often employs non-structural stormwater management practices, and other environmentally friendly design innovations. Developments designed in this style can blend in with their rural settings, protect critical environmental resources on the site, and provide a high degree of value for homeowners who truly want to live in a rural setting.

- **Rural communities** – The state will carry out programs to promote revitalization, historic preservation, reinvestment, vitality and enhancement of small rural communities. Some of these programs include working with residents to establish Crime Watch and other public safety efforts, improvements to streets and lighting, stricter code enforcement, neighborhood clean-up, weatherization and

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Investment Level 4:

rehabilitation of housing, and recreational activities for teenagers. Public investment in infrastructure and services to address social, economic and environmental concerns is appropriate in these communities. Developing vacant spaces within rural communities and contiguous development to maintain and enhance the character of those communities is also acceptable. Suitably scaled commercial and service uses that support sustainable communities are also desirable. Development that significantly expands the boundaries of a rural community or does not have a positive impact on the community is discouraged.

- **Other uses** – Investment Level 4 areas may be the location for certain uses that because of their specific requirements are not appropriate for location elsewhere. Such uses, expected

to be limited in number, could involve public safety or other uses that require their location outside designated investment areas. Industrial activity would be limited, except where specific requirements of major employers may dictate an exception for a use which, because of specific siting and potential conflicts with neighboring uses, should not be placed elsewhere.

Investment Level 4 areas would logically be the sending areas for Transfer of Development Rights (TDR) programs, allowing agricultural, rural, and natural resource uses to continue while promoting increased options for development in Investment Level 1 and 2 (and possibly 3) Areas. County



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Investment Level 4:

or local governments that adopt these programs will define the parameters and regulations that will guide the programs in a manner which is best suited to the conditions in the local jurisdiction. The Strategies maps may be one tool to guide the development of county or local TDR programs.

It is the state's intent to discourage additional development in Investment Level 4 areas unrelated to the areas' needs. It will do so through consistent policy decisions and by limiting infrastructure investment, while recognizing that state infrastructure investments may be appropriate where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare.

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Other Map Designations:

Out of Play

Lands that are not at all available for development or for redevelopment have been clipped out of the analysis and will be shown on the *Strategies* maps in a light gray color. These include publicly-owned lands, lands for which serious legal constraints on development are identified, and lands in some form of permanent open-space protection. A full list of those data sets used to map out of play lands and of the sources for those data sets is presented as part of a technical appendix at the end of the document.

Some lands that are in the “not favored” category (also described in the technical appendix) are included as out of play lands for New Castle County based on that county’s stringent Unified Development Code (UDC), which identifies some lands as “100% constrained” from development. Similarly, floodplain areas in Kent County have been identified as out of play based on Kent County subdivision code constraints on building in floodplains. Floodplains in New Castle County are part of that county’s 100% constrained lands.

There are not similar constraints on floodplains in Sussex County.

It is conceivable that public investments may be made in the “out of play areas” during the five year period covered by this update of the *Strategies*. Because many of these lands are in the ownership of the Federal, State, or local governments, it is expected that funds will be expended on maintenance and management of the lands. Since many of the out of play lands are public parks and natural areas it is expected that funds will be expended on environmental protection, mitigation, and park development. Similarly, it is possible that other public facilities intended to further health, safety, and welfare goals may be constructed on out of play lands that are already in public ownership that are not otherwise constrained by environmental features.

Area of Dispute

The designation “Area of Dispute” refers to lands which are currently subject to legal actions or other inter-jurisdictional disputes, regardless of whether the State is a

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Other Map Designations:

party to those disputes. “Area of Dispute” is shown as a hatched overlay on the Strategies maps, and does not supercede the investment levels otherwise shown on the maps. The State reserves the right to consider certification of comprehensive plans or plan amendments within lands designated “Area of Dispute” when and if the legal or inter-jurisdictional issues are resolved.

Area of Study

The designation “Area of Study” refers to lands which are currently subject to ongoing infrastructure planning studies, local or county comprehensive plans or plan amendments, or in some cases both. “Area of Study” is shown as a hatched overlay on the Strategies maps, and does not supercede the investment levels otherwise shown on the maps. It is conceivable that additional information regarding

future public facilities, capital infrastructure, annexation, or land development activities may come to light pending the completion of ongoing planning activity in these areas. The State reserves the right to consider certification of comprehensive plans or plan amendments within lands designated “Area of Study” when and if the planning studies, comprehensive plans, or plan amendments are completed.